OFFICE OF THE HINDU LAW REFORM COMMITTEE IN MYSORE, BANGALORE.

MEMORANDUM.

No. 125—H, *dated* 28*th February* 1930.

For the convenience of those who would like to answer some at least of the main questions issued by the Committee on the subject of Women's Rights, but find it difficult to make a selection, the following points are suggested as suitable for an expression of opinion. It is requested that all answers may be sent not later than the 30th April 1930 to the address of the Secretary, Hindu Law Reform Committee, Bangalore.

K. S. CHANDRASEKHARA AIYAR,
Chairman.

Questions.

1. Have you any objection to its being laid down that no female relative shall be excluded or disqualified from inheritance merely on the ground of her sex, even when there are no other nearer heirs?

e.g. The step-mother and the daughter in-law are not in the line of heirs at present. If sex is not considered a disqualification, they would come in the line of heirs.

2. Do you agree to the principle that the order of succession should be determined on general principles consonant with texts of law and based on nearness of blood and natural love and affection, those nearer in blood coming before those more remote, irrespective of sex?

e.g. At present the sister is postponed to the sister's son, though the daughter comes before the daughter's son and the mother before the brothers. According to the above principle the sister will also come in before the sister's son. The law has also been lately altered to this effect in British India.

3. Have you any objection to female heirs of a nearer degree of relationship being allowed to take before males of a remoter degree?

e.g. At present the son's daughter, daughter's daughter and sister are postponed to very distant agnates of even the 14th degree and to all male bandhus. According to the above principle the son's daughter, daughter's daughter and sister will come in next after the father's farther as has been recently enacted in British India.

JOINT FAMILY AND PARTITION.

4. Do you agree to the revival of the original practice ordained in the Smritis, of allotting a share on partition to the wife or widow mother and the daughter of a coparcener at the time of partition of joint family property? The practice is still in force in some Provinces, though it has become obsolete in Southern India. If the above principle be definitely recognized in Mysore, the wife, mother and daughter will get some share at partition.

5. Do you agree to allow the widow of a coparcener dying sonless before partition to succeed to his share of the property in the joint family and claim partition thereof?

MAINTENANCE.

6. Have you any objection to the amount of maintenance due to a female being fixed so as to include all her reasonable requirements having regard to present conditions of society?

e.g. Provision to be made not merely for food, raiment and residence and for the performance of religious and ceremonial duties but also for social duties and functions incidental to her station in life and for living in something like the same degree of comfort as she had in her husband's lifetime.

WOMEN'S POWERS OVER INHERITED PROPERTY.

7. Have you any objection to enlarging the powers of women over inherited property, or at least of those women who are born in the family like the daughter and sister, either to the same extent as possessed by men, or at any rate so as to empower them to make alienations etc., for reasonable, desirable, or beneficial purposes?

e.g. The widow, daughter, mother, sister and other female heirs have only a limited estate in property inherited by them. The above principle will allow them absolute or practically absolute rights of ownership.

8. Have you any objection to a material curtailment of the opportunities now available to reversioners for questioning or interfering with the acts of a female owner?

STRIDHANA.

9. Do you agree to the inclusion under a woman's stridhana of property obtained by her by inheritance or obtained as a share at partition?

10. Have you any objection to give a woman absolute powers of enjoyment and disposal over all her stridhana without interference or control on the part of the husband?